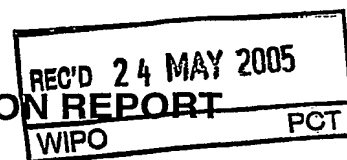


# PATENT COOPERATION TREATY

## PCT

### INTERNATIONAL PRELIMINARY EXAMINATION REPORT



(PCT Article 36 and Rule 70)



Applicant's or agent's file reference <b>MATH-PCT-133</b>	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416)	
International application No. <b>PCT/IN 03/00045</b>	International filing date (day/month/year) <b>07.03.2003</b>	Priority date (day/month/year) <b>03.02.2003</b>
International Patent Classification (IPC) or both national classification and IPC <b>B65D81/38</b>		
Applicant <b>THADANI, Mahesh</b>		

- This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
- This REPORT consists of a total of 4 sheets, including this cover sheet.  
  
☒ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).  
  
 These annexes consist of a total of 4 sheets.

- This report contains indications relating to the following items:
  - I ☒ Basis of the opinion
  - II ☐ Priority
  - III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
  - IV ☐ Lack of unity of invention
  - V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
  - VI ☐ Certain documents cited
  - VII ☐ Certain defects in the international application
  - VIII ☐ Certain observations on the international application

Date of submission of the demand  <b>16.12.2003</b>	Date of completion of this report  <b>20.05.2005</b>
Name and mailing address of the international preliminary examining authority:   <b>European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465</b>	Authorized Officer  <b>Novelli, B</b>  Telephone No. +49 89 2399-2864  

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

International application No. PCT/IN 03/00045

**I. Basis of the report**

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

**Description, Pages**

1-10 as originally filed

**Claims, Numbers**

1-6 received on 11.06.2004 with letter of 28.05.2004

**Drawings, Sheets**

1/3-3/3 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).  
☐ the language of publication of the international application (under Rule 48.3(b)).  
☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.  
☐ filed together with the international application in computer readable form.  
☐ furnished subsequently to this Authority in written form.  
☐ furnished subsequently to this Authority in computer readable form.  
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.  
☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:  
☐ the claims, Nos.:  
☐ the drawings, sheets:

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

International application No. **PCT/IN 03/00045**

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5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

*(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)*

6. Additional observations, if necessary:

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Yes: Claims	1-6
	No: Claims	
Inventive step (IS)	Yes: Claims	1-6
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-6
	No: Claims	

2. Citations and explanations

**see separate sheet**

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT - SEPARATE SHEET**

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International application No. PCT/IN 03/00045

- 1) The subject-matter of independent claims **1-6** is considered as being novel and inventive over the available state of the art. In particular none of the cited documents discloses or suggests an insulated bottle having within its upright body a limited non-circular portion and a substantial circular portion, only the non circular upright portion of the bottle being touched and held by the receptacle body's upright inner to make said bottle non-rotatable within said body.
- 2) Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in the document **US-A-5904267** is not mentioned in the description, nor is/are this/these document identified therein.
- 3) The features of the claims are not provided with reference signs placed in parentheses (Rule 6.2(b) PCT).

## CLAIMS

1. An improved Insulated Bottle , characterized by a closure capped reusable Bottle capable of holding liquids and an insulatory , non-permanently assembled , rigid polymer Receptacle adapted to store said Bottle in a  
5 securably , non-rotatably and mostly spaced apart manner , said Receptacle comprising a hollow single walled Body , a Bottle Restrainer and a Top Cup , said Bottle being clear and having within its upright body , a limited non circular portion and a substantial circular portion , only the non  
10 circular upright portion of said Bottle being touched and held by said Body's upright inner to make said Bottle non-rotatable within said Body , said Bottle's neck end being external of said Body affixed Restrainer , said Bottle's circular , externally threaded neck taking a removable and  
15 refixable circular Closure Cap , said circular Closure Cap on Body stored Bottle being openable and closable without making said Bottle rotate or lift up , said Body being reflectively opaque , or clear , or mostly opaque with a fitted clear window in its upright wall , and said Top Cup  
20 accommodating a short or a long Closure Cap .

2. An insulatory , portable Receptacle adapted to enclosedly store a closure capped , reusable Bottle in a securable , mostly spaced apart , non-rotatable manner , as  
25 claimed in claim 1 , said Receptacle being formed from the non-permanent sequential assembly of three rigid polymer components , a hollow single walled Body , a Bottle Restrainer and a Top Cup , wherein operationally said hollow Body accepts and seats said Bottle's entire body part base first but leaves said Bottle's shoulder and neck

part outside itself , said Body's inner touches said entered Bottle's upright body partly and so makes said accepted Bottle non-rotatable , then takes said Restrainer onto its open end mouth wall in a way that self seated  
5 Bottle is restrained within said Body yet said Bottle's upper shoulder and closure capped neck part are uncovered , and then takes said Top Cup over self seated Bottle's closure capped neck part and self affixed Restrainer to completely cover said seated Bottle .

10 3. A clear , reusable , polymer Bottle adapted to be stored non-rotatably , removably and refittably in a Receptacle , as claimed in claims 1 and 2 , said Bottle capable of containing liquids , said Bottle having a base and base depending upright body part , a body top end  
15 depending inwardly tapered shoulder part , and a shoulder end depending upright , circular , open neck end part , said upright body part comprising a longitudinally limited , non-circular , flat sided portion and a longitudinally substantial , circular portion which is less wider than  
20 said non-circular portion , with a nominal inwardly tapered portion connecting the two , and said circular neck part having external threads to take an internally threaded , non-permanently fitted , removable and refixable circular Closure Cap for secure closement of said neck end .

25 4. A Body of a Receptacle adapted to accept and seat an adapted Bottle's body , as claimed in claims 1 and 2 , said Body being a hollow , single walled , injection moulded rigid polymer shape having a first open upper end and a longitudinally spaced apart second closed lower end , said  
30 hollow Body being adapted to accept , seat and enclose

within itself , said Bottle's base and body's circular and non-circular portions only , said hollow Body preventing self seated Bottle's rotation because said Body's inner can accept but will non-rotatably restrict, the similar shaped but nominally smaller , upright , non-circular portion of said enclosed Bottle's body , said Body's upright inner contour not touching said enclosed Bottle's upright circular portion's outer contour , said Body being fully opaque with incorporated or applied reflectivity , or fully clear , or opaque and having a fitted clear window within its upright wall , said fitted window being flat or curved , said Body's open end's outer having threads to take Bottle Restrainer and Top Cup securably but releasably , and said Body being holdable by a strap , clip or handle .

5. The combination of a Bottle and a said Bottle's body enclosing Body which can enclose said Bottle's upright body in a longitudinally limited touching manner along with a longitudinally substantial spaced apart manner as claimed in claims 1 and 2 , because said enclosed Bottle's upright body has a longitudinally limited non-circular portion and a longitudinally substantial circular portion which is less wider than said non-circular portion and said enclosing Body's inner is sized to be able to touch only said Bottle's said non circular portion .

6. The combination of a Bottle whose neck end is closed with a circular Closure Cap and whose body is stored within a Body and wherein said Body stored Bottle is being restrained to said Body by a said Body top affixed Restrainer as claimed within claim's 1 , 2 , 3 and 4 ,

1-06-2004

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wherein said Closure Cap on said Bottle can be opened or closed without making said Bottle rotate within or lift up from said enclosing Body , because , said Bottle's circular closure capped neck part is external to said Body and said  
5 Restrainer ; said Bottle is non-rotatable within stored Body and said Body affixed Restrainer prevents said Bottle from lifting up when said Bottle affixed Closure Cap's top spout cap is opened .